IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 10TH AUGUST 2007 / 19TH SRAVANA 1929

WP(C).No. 13139 of 2004(L)

PETITIONER:

BALAKRISHNAN NAIR,
S/O.VADAKKEDATH VEETIL NARAYANA MENON,
EAST VELIYATHUNAD KARA,
ALUVA VILLAGE, ALUVA TALUK.

BY ADV. SRI.K.SHRIHARI RAO.

RESPONDENTS:

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1. KARUMALOOR GRAMA PANCHAYATH,
REPRESENTED BY ITS SECRETARY,
P.O.KARUMALOOR,
ERNAKULAM DISTRICT,
PIN-683511.

***ADDL.R2. SMT. LOULY GEORGE,**
W/O. LATE JIMMY GEORGE,
NOW W/O. STANLY GEORGE,
KUDAKKACHIRA, THONDIYIL DESOM,
VELLORVALLI VILLAGE,
THALASSERY TALUK,
KANNUR DISTRICT.

W.P.(C). NO.13139/2004:

***ADDL.R3. SRI. STANLY GEORGE, S/O. GEORGE JOSEPH,**
13, GOOD EARTH HAMLET,
VENNALA.P.O., KOCHI -28.

***IS IMPLEADED AS PER ORDER DATED 18/05/2004**
IN I.A. 5645/2004.

BY ADV. SRI.BOBY MATHEW,
SMT.K.MEERA.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 10/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C). NO.13139/2004:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF THE SALE DEED NO. 4279/86 OF THE SRO, ALUVA.

EXT.P.2: COPY OF THE JUDGEMENT DTD. 10/02/03 IN O.S. NO. 362/98 OF THE MUNSIFF'S COURT, ALUVA.

EXT.P.3: COPY OF THE NOTICE DTD. 22/03/04 OF THE RESPONDENT.

RESPONDENT'S EXHIBITS: NIL.

//TRUE COPY//

prv.

KURIAN JOSEPH , J

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W.P.(C) NO. 13139 OF 2004

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Dated this the 10th day of August, 2007.

JUDGMENT

The petitioner approached this Court aggrieved by Ext.P3 notice issued by the Panchayat wherein it is stated that the petitioner had encroached upon the road. According to the petitioner, he is only enjoying the property as per Ext.P1 sale deed. It is made clear that in case there is any encroachment the petitioner shall be issued notice and shall also be given an opportunity for hearing. Thereafter only any steps shall be taken by the Panchayat for eviction.

The writ petition is disposed of accordingly.

KURIAN JOSEPH, JUDGE.

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